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Attorney for Debtors in Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

JUAN AGUIRRE fdba VILLAREAL, INC.
and ELIZABETH AGUIRRE,
Debtors in Possession.

Case No.: 17-15121-MKN
Chapter 11

MOTION TO WITHDRAW AS COUNSEL

DATE: October 02, 2019
TIME: 9:30 A.M.

COMES NOW, Gina M. Corena, Esq., of the law firm of the LAW OFFICE OF GINA M. CORENA, (“**Counsel**”) and moves this Honorable Court for an Order allowing withdrawal as counsel of record for Debtors in Possession, JUAN AGUIRRE, VILLAREAL, INC., and ELIZABETH AQUIRRE.

MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to Local Rule 1A 10-6 an attorney may not withdraw from a proceeding before this Court without leave of the Court.

(b) No attorney may withdraw after appearing in a case except by leave of Court after notice served on the affected client and opposing counsel.

Pursuant to Rules of the Nevada Supreme Court Rule 166, an attorney may withdraw as counsel for a client as follows:

2. Except as stated in subsection 3, a lawyer may withdraw from representing a client if

1 withdrawal can be accomplished without material adverse effect on the interests of the
2 client, or if:

3 (a) The client persists in a course of action involving the lawyer's services that the
4 lawyer reasonably believes is criminal or fraudulent;

5 (b) The client has used the lawyer's services to perpetrate a crime or fraud;

6 (c) A client insists upon pursuing an objective that the lawyer considers repugnant
7 or imprudent;

8 (d) The client fails to substantially to fulfill an obligation to the lawyer regarding the
9 lawyer's services and has been given reasonable warning that the lawyer will
10 withdraw unless the obligation is fulfilled;

11 (e) The representation will result in an unreasonable financial burden on the lawyer
12 or has been rendered unreasonable difficult by the client; or

13 **(f) Other good cause for withdrawal exists.**

14 On November 2, 2017, the Court entered an Order Authorizing the Employment and
15 Retention of the Law Office of Gina M. Corena as Attorney for the Debtors-in-Possession, and
16 payment of the Debtors' prepetition retainer of \$7,500.00. According to GMC's books and records,
17 for the period prior to filing date of September 22, 2017, the total amount of services billed to the
18 Debtors in connection with contingency planning was \$5,200.00 plus an additional \$1,717.00 in
19 filing fees, \$46.00 for Debtors' credit reports, and \$350.00 an appraisal on Debtors' rental property.

20 The Law Office of Gina Corena's books and records further reflect for the same period,
21 GMC received an aggregate of \$7,500.00 inclusive of the Retainer. The Law Office of Gina
22 Corena's books and records further reflect that the Debtors have not made any additional payments.

23 The Retainer Agreement between Debtors and counsel allows counsel to withdraw with or
24 without cause. See **Docket 8 Employment Application Exhibit B**. Accordingly, Counsel
25 respectfully requests that this Honorable Court grant Counsel's Motion to Withdraw.

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PROPOSED ORDER

Gina M. Corena, Esq. SBN 10330
LAW OFFICE OF GINA M. CORENA, PLLC
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Las Vegas, NV 89101
Telephone: (702) 943-0308 Fax: (888) 897-6507
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Attorney for the Debtors in Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

JUAN AGUIRRE fdba VILLAREAL, INC.
and ELIZABETH AGUIRRE,

Debtors in Possession.

Case No.: 17-15121-MKN
Chapter 11

DATE: November 1, 2017
TIME: 9:30 A.M.

ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL

Upon the Motion of Counsel for the *Debtors in Possession* in the above captioned case; and upon the Declaration of Gina Corena sworn to on August 26, 2019; and the Court being satisfied with the representations made in the Application and Counsel's Affidavit; and upon the record of the hearing held on the Motion; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and after due deliberation thereon; and good and sufficient cause appearing therefore, it is hereby:

ORDERED that the Motion is GRANTED; and it is further

1 ORDERED that as provided by Fed. R. Bankr. P. 7062, this Order shall be effective and
2 enforceable immediately upon entry.

3 Submitted by:

4 DATED: August 26, 2019

By: /s/ Gina M. Corena

Gina M. Corena, Esq.

Proposed Attorney for the Debtors in Possession

SUBMISSION TO COUNSEL FOR APPROVAL PURSUANT TO LR 9021

____ In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that (check one):

____ The Court has waived the requirement set forth in LR 9021(b)(1).

____ No party appeared at the hearing or filed an objection to the motion.

____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of this order.

APPROVED:

DISAPPROVED:

FAILED TO RESPOND:

Submitted by:

By: /s/ Gina M. Corena, Esq.
Gina M. Corena, Esq.

CERTIFICATE OF SERVICE

Pursuant to Fed.R.Bankr.P. 2002 and LR 2002, I certify that on August 27, 2019, I deposited a true and correct copy of the **MOTION TO WITHDRAW AS COUNSEL** through the:

CM/ECF System:

U.S. TRUSTEE - LV - 11 USTPRegion17.lv.ecf@usdoj.gov

United States Certified Mail to:

Juan Aguirre
3700 Broxburn Street
Las Vegas, Nevada 89108

Elizabeth Aguirre
66527 Coldwater Bay Drive
Las Vegas, Nevada 89122

Orion
c/o PRA Receivables Management, LLC
Attn: Officer or Agent
P.O. Box 41021
Norfolk, VA 23541

Gilbert Aguirre
6527 Coldwater Bay
Las Vegas, NV 89122

Target Nb
Attn: Officer or Agent
P.O. Box 673
Minneapolis, MN 55440

Amex Dsnb
Attn: Officer or Agent
9111 Duke Blvd
Mason, OH 45040

Kohls/capone
Attn: Officer or Agent
N56 W 17000 Ridgewood Dr
Menomonee Falls, WI 53051

1 Wells Fargo
2 Attn: Officer or Agent
3 P.O. Box 14517
4 Des Moines, IA 50306

5 Bank of America
6 Attn: Officer or Agent
7 P.O. Box 982234
8 El Paso, TX 79998-2234

9 Nissan Motor Acceptance Corp.
10 Attn: Officer or Agent
11 P.O. Box 660360
12 Dallas, TX 75266

13 Wells Fargo Bank Nv Na
14 Attn: Officer or Agent
15 P.O. Box 94435
16 Albuquerque, NM 87199

17 Bankamerica
18 Attn: Officer or Agent
19 4909 Savarese Circle
20 Tampa, FL 33634

21 Santander Consumer Usa
22 Attn: Officer or Agent
23 P.O. Box 961245
24 Ft Worth, TX 76161

25 Wells Fargo Hm Mortgag
26 Attn: Officer or Agent
27 8480 Stagecoach Cir
28 Frederick, MD 21701

Chase Card
Attn: Officer or Agent
P.O. Box 15298
Wilmington, DE 19850

Syncb/care Credit
Attn: Officer or Agent
P.O. Box 965036
Orlando, FL 32896

1 Clark County Assessor
2 c/o Bankruptcy Clerk
3 500 S. Grand Central Pkwy Box 551401
4 Las Vegas, NV 89155-1401

5 Citi
6 Attn: Officer or Agent
7 P.O. Box 6241
8 Sioux Falls, SD 57117

9 Syncb/jcp
10 Attn: Officer or Agent
11 P.O. Box 965007
12 Orlando, FL 32896

13 Clark County Treasurer
14 c/o Bankruptcy Clerk
15 500 S. Grand Central Parkway
16 PO Box 551220
17 Las Vegas, NV 89155

18 Comenity Bank/pier 1
19 Attn: Officer or Agent
20 P.O. Box 182789
21 Columbus, OH 43218

22 Syncb/kirklands
23 Attn: Officer or Agent
24 P.O. Box 965005
25 Orlando, FL 32896

26 Dept. of Employment, Training, and Rehab
27 Employment Security Division
28 500 East Third Street
Carson City, NV 89713

Comenitycapital/zales
Attn: Officer or Agent
P.O. Box 182120
Columbus, OH 43218

Syncb/lenscrafters
Attn: Officer or Agent
P.O. Box 965036
Orlando, FL 32896

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Credit Coll
Attn: Officer or Agent
P.O. Box 710
Norwood, MA 02062

Syncb/lowes
Attn: Officer or Agent
P.O. Box 956005
Orlando, FL 32896

Internal Revenue Service
110 City Parkway
Las Vegas, NV 89106

Franklin Capital
Attn: Officer or Agent
47 W 200 S Ste 500
Salt Lake City, UT 84101

Syncb/mervyns
Attn: Officer or Agent
P.O. Box 965005
Orlando, FL 32896

Nevada Department of Motor Vehicles
555 Wright Way
Carson City, NV 89711

/s/Andrea Chavez

Andrea Chavez An employee of
LAW OFFICE OF GINA M. CORENA